

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 2-2005)TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

PU4891USW

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

To Be Assigned

10/533206

INTERNATIONAL APPLICATION NO.  
PCT/US03/034536INTERNATIONAL FILING DATE  
October 30, 2003PRIORITY DATE CLAIMED  
October 30, 2002

## TITLE OF INVENTION

Tubular Nozzles for Use in Systems for Delivering Medicaments

## APPLICANT(S) FOR DO/EO/US

KING, Michael L.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).


## Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV332065045US
23. ☒ Other items or information:
  - a. PCT Request
  - b. PCT Cover Page

Express Mail Label No.  
EV 332065045 US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |              |  |      |  |                      |
|---|--------------|--|------|--|----------------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/533206</b><br><i>To Be Assigned</i>  |              | INTERNATIONAL APPLICATION NO.<br><b>PCT/US03/034536</b>                |      | ATTORNEY'S DOCKET NUMBER<br><b>PU4891USW</b> |                      |
| The following fees are submitted:   |              |  |      | <b>CALCULATIONS</b>                          | <b>PTO USE</b>       |
| 24. <input checked="" type="checkbox"/> Basic national fee .....  |              | <b>\$300</b>   |      | \$ <b>\$300.00</b>                           |                      |
| 25. <input checked="" type="checkbox"/> Examination fee<br>If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ....   |              | <b>\$100</b>   |      | \$ <b>\$200.00</b>                           |                      |
| All other situations. ....  |              | <b>\$200</b>   |      |  |                      |
| 26. <input checked="" type="checkbox"/> Search fee .....  |              |  |      |  |                      |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....   |              | <b>\$100</b>   |      |  |                      |
| International Search Report prepared and provided to the Office .....   |              | <b>\$400</b>   |      | \$ <b>\$100.00</b>                           |                      |
| All other situations. ....  |              | <b>\$500</b>   |      |  |                      |
| <b>TOTAL OF 24, 25 and 26 =</b>   |              |  |      | \$ <b>\$600.00</b>                           |                      |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |              |  |      |  |                      |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) |      | RATE   |                      |
| - 100 =   | 0            | /50 = 0  |      | x \$250.00                                   | \$ <b>\$0.00</b>     |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |  |      | \$   |                      |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA   | RATE |  |                      |
| Total claims  | 64 - 20 =    | 44   | x    | \$50.00                                      | \$ <b>\$2,200.00</b> |
| Independent claims  | 1 - 3 =      | 0  | x    | \$200.00                                     | \$ <b>\$0.00</b>     |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00   |              |  |      | \$   | <b>\$0.00</b>        |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |  |      | \$ <b>\$2,800.00</b>                         |                      |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |              |  |      | \$ <b>\$0.00</b>                             |                      |
| <b>SUBTOTAL =</b>   |              |  |      | \$ <b>\$2,800.00</b>                         |                      |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |  |      | \$ <b>\$0.00</b>                             |                      |
| <b>TOTAL NATIONAL FEE =</b>   |              |  |      | \$ <b>\$2,800.00</b>                         |                      |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +   |              |  |      | \$ <b>\$0.00</b>                             |                      |
| <b>TOTAL FEES ENCLOSED =</b>  |              |  |      | \$ <b>\$2,800.00</b>                         |                      |
|   |              |  |      | Amount to be                                 | \$                   |
|   |              |  |      | Amount to be                                 | \$                   |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <b>07-1392</b> in the amount of <b>\$2,800.00</b> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>07-1392</b>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> |              |  |      |  |                      |
| <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.437(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p>   |              |  |      |  |                      |
| <p><b>Customer No. 23347</b></p>  |              |  |      | SIGNATURE                                    |                      |
|   |              |  |      | J. Michael Strickland                        |                      |
|   |              |  |      | NAME   |                      |
|   |              |  |      | 47,115                                       |                      |
|   |              |  |      | REGISTRATION NUMBER                          |                      |

|   |                                      |          |                         |                |
|---|--------------------------------------|----------|-------------------------|----------------|
| <b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>   |                                      |          | Docket No.<br>PU4891USW |                |
| Applicant(s): KING, Michael L.  |                                      |          |                         |                |
| Application No.<br>To Be Assigned   | Filing Date<br>Concurrently Herewith | Examiner | Customer No.            | Group Art Unit |
| Invention: <b>Tubular Nozzles for Use in Systems for Delivering Medicaments</b>   |                                      |          |                         |                |
| <p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p><b>Patent Application Under 35 USC 371 with Corresponding Papers</b></p> </div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <div style="text-align: center; margin: 10px 0;"> <u>April 28, 2005</u><br/> <i>(Date)</i> </div> <div style="text-align: center; margin: 10px 0;"> <u>Johnie Jones</u><br/> <i>(Typed or Printed Name of Person Mailing Correspondence)</i> </div> <div style="text-align: center; margin: 10px 0;"> <br/> <i>(Signature of Person Mailing Correspondence)</i> </div> <div style="text-align: center; margin: 10px 0;"> <u>EV332065045US</u><br/> <i>("Express Mail" Mailing Label Number)</i> </div> |                                      |          |                         |                |
| <p><b>Note: Each paper must have its own certificate of mailing.</b></p>  |                                      |          |                         |                |